

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STEVEN LIPOVSKY, SR.,

Plaintiff,

V.

DAVID HOGUE, et al,

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

Civil Action No. 06-1471
Judge Gary L. Lancaster
Magistrate Judge Lisa Pupo Lenihan

Doc. No. 8

ORDER

Plaintiff filed a complaint with a motion to proceed *in forma pauperis* on November 6, 2006. Said motion was granted on December 21, 2006. Plaintiff now files a Motion to Defer Marshal's Fee, alleging that he does not have the funds to pay for service. Because Plaintiff is proceeding *in forma pauperis*, the service fees will be advanced by the United States and collected from Plaintiff at a later date. Therefore, his motion to defer is not necessary as service of his amended complaint will be made as soon as he provides the court with a sufficient number of service copies and completed service forms. Therefore,

IT IS HEREBY ORDERED that Plaintiff's Motion to Defer Service Fees is **DENIED**.

In accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(A), and Rule 72.1.3(B) of the Local Rules for Magistrate Judges, the parties are allowed ten (10) days from the date of service of a copy of this Order to file objections to this Order. Any party opposing the objections shall have ten (10) days from the date of service of objections to respond thereto.

Failure to file timely objections may constitute a waiver of any appellate rights.



LISA PUPO LENIHAN
U.S. MAGISTRATE JUDGE

cc:

STEVEN LIPOVSKY, SR.
MGP-3 #20
Armstrong County Jail
171 Staley's Courts Road
Kittanning, PA 16201